

BOROUGH OF WATCHUNG

COUNCIL MINUTES

SEPTEMBER 4, 2014 - 7:30 P.M.

MAYOR'S STATEMENT: Mayor Pote called the meeting to order 7:32 PM and made the following statement: Under the provisions of N.J.S.A.10:4-6 et seq., notice of the time and place of this meeting was given by way of annual notice to the Courier News, Echoes Sentinel, and Star Ledger, and posted at Borough Hall.

SALUTE TO THE FLAG and a MOMENT OF SILENCE FOR OUR SERVICE MEN AND WOMEN, SERVING HOME AND ABROAD.

ROLL CALL

Nehls [P] Black [P] Franklin [P] Joren [P] Gibbs [P] Beck-Clemens [P]

Also present were Attorney Albert Cruz, Clerk Michelle DeRocco, Chief Finance Officer William Hance, and Deputy Clerk MaryAnn Hance.

There were 7 members of the public present.

REPORT OF STANDING COMMITTEES

1. Administration & Finance – Councilman Franklin said a meeting is scheduled for September 15th and the Committee will be continuing discussions on the Sewer Utility. He also reported a new funding Ordinance is on the Agenda this evening but there are still a few items that costs are not finalized. Councilman Franklin also said they will be discussing a salary adjustment due to a job title change.
2. Council President Nehls had no report.
3. Public Works / Buildings and Grounds – Council President Nehls reported one of Public Works dump truck was being returned to the Borough after having warranty work completed on it and while being driven the vehicle caught fire totally destroying it. He also said we will be in the process of discussing this with the insurance companies involved. He said this is a major loss because this vehicle is used for snow removal. Council President Nehls said he has asked Mr. Burns to get a replacement cost because the Borough may have to look into replacing this vehicle in the very near future. He also reported that there is now a defibrillator at Borough Hall and Ms. DeRocco will be making arrangements for employees to be trained in its use. Council President Nehls said Mr. Herits sent him an email stating he would like to go forward with a new grant application for Valley Drive which he felt the DOT would approve. Councilwoman Beck-Clemens asked if there was an update on the generators and Council President Nehls said he did not get a report but the installations are in progress and Mr. Hance said they were working at the municipal building today.

4. Public Affairs:

Open Space- Councilwoman Beck-Clemens had no report.

Environmental – Councilman Gibbs had no report because the Commission did not have a quorum at their last meeting. He said the Mayor and Council should have received information from the Sierra Club, requesting the Borough host a meeting with Mayors from affected towns for a representative NJ DOT's pipeline inspection division, who would talk about the current regulations on pipelines. Ms. DeRocco said if everyone is in agreement she will respond to the Sierra Club to start making the arrangements. It was the consensus of the Governing Body to authorize Mrs. DeRocco to schedule this meeting.

Recreation – Councilwoman Beck-Clemens reported the date for the Fishing Derby is September 20th from 9-11:30, with a rain date September 21st. She said the Borough received one hundred 11" to 14" inch catfish at no/charge from the Fish and Wildlife Game Commission and the Warren Blue Ridge Sports Club donated three fishing rods for the event. Councilwoman Beck-Clemens also said the Harvest Festival is scheduled for October 25th and this year will run for 3 hours, from 2-5 pm with a rain date of October 26th. She also reported the fall tennis program is now open for registration for adults and children age 14 and up and

will be starting on September 18th. She said anyone interested in the program can go to the Borough website or contact Borough Hall for further information. Councilwoman Beck-Clemens reported that Jeff Isaac has completed his Eagle Scout project at Mobus Field including making signs for the Pavilion and the tennis courts, assembling three benches for the tennis courts and cleaning out and painting both storage closets. She also said Linda Monetti found a sale on playground equipment, saving the Borough approximately \$14,000 and Ms. Monetti has now ordered the equipment from Game Time, a company recommended by the Borough Engineer Tom Herits.

Historical – Councilwoman Beck-Clemens reported the Texier House Museum will be open the day of the fishing derby, on September 20th from 11 AM to 1 PM. She also reported History Day is September 27th from 11 AM to 4 PM with encampment the night before, and the re-enactment on Saturday. There will be tables available for Borough Committees to distribute literature, in addition to food, and ice cream. She said the Rescue Squad and Fire Department will attend, as well as the Boy Scouts and Girl Scouts have volunteered to help. Mayor Pote said this event should be advertised as much as possible.

Board of Health- Councilman Black had no report – the next meeting will be September 17th, 7:00 PM.

5. Fire- Councilman Black reported things are moving forward with the Fire House renovations and it is hoped it can go out to bid shortly. He also said the Fire Committee met and discussed the flooring and new concrete pads. He said the flooring product which has been discussed has a lifetime guarantee and seems to be the best option for the Borough and he hopes the Council can come to some agreement soon.
6. Laws/Ordinances - Councilwoman Joren had no report for Laws and Ordinances but asked Mayor Pote if she could bring up another item. She then reported that she met with Ms. DeRocco and Ms. Parikh for a tutorial on “Twitter” as a possible addition to the Borough’s communication system. Councilwoman Joren said this would only be used for emergency information or other items of interest to residents and she said it seems like a good idea she recommends this to the Mayor and Council so the Borough can move forward on this. All members thought this was a good idea and recommended putting the information on our website and in the newsletter. Councilwoman Joren asked Ms. DeRocco to move forward with this and thanked Ms. Parikh for all her research for this.

REPORTS - OTHER:

7. Engineer – No report was submitted.
8. Police Chief – No report was submitted.
9. Fire Department – No report was submitted.
10. Rescue Squad – No report was submitted. However, Councilman Black reported there will be a “Mass Casualty Drill” on October 18th. He said the Watchung Fire Department and Rescue Squad, OEM, the CERT Team, and Rescue Squads from Berkeley Heights and Warren will be participating in this event.
11. Emergency Management – No report was submitted.
12. Attorney – Mr. Cruz had no report other than there is one item for Executive Session tonight.
13. Clerk – Mrs. DeRocco reminded Council if they have not responded to Shelini regarding the League Conference to please do so. Mayor Pote asked about the newsletter and Mrs. DeRocco said we are waiting for one or two articles before it can go out to print. She said there will be information on the new Ordinance regarding snow removal. Councilman Gibbs asked if Council Members were in agreement with the language for the placard regarding this Ordinance and all members were. Councilman Gibbs said he will work with Attorney Albert Cruz to finalize this.
14. Administrator – no report was submitted.

Mayor Pote asked CFO Bill Hance if he had anything to report. Mr. Hance did not but he wished to remind everyone of the upcoming “Farmers Market”, as the Borough’s Green Team has been working hard to make this happen in Watchung. The first date is scheduled for September 14th and there are fourteen confirmed vendors. Mayor Pote asked the number of weeks for this event and Mr. Hance said this is the first of five weeks.

PUBLIC PORTION/AGENDA ITEMS ONLY

Lynda Goldschein, Sherwood Drive, asked what this ordinance authorizes exactly, and CFO Bill Hance said this includes Fire House renovations, road work, additional financing for a future purchase of a new truck, fire and police equipment and new playground equipment at Mobus Field which will include drainage improvements.

Phil Whitting, Fawn Drive, questioned the cost for the structural engineer for the Library building and asked why it is being done again. Council President Nehls said there has never been a structural study of the building. Mr. Whitting also questioned why the Borough is authorizing spending money on Fire House renovation and Councilman Black responded that this is a Borough owned building and there have been no improvements to that building in about 40 years. This renovation would bring the building up to ADA compliance and also to make it more usable in the event we were to have another storm like Sandy or other unexpected catastrophe.

Doris Fine, Johnston Drive, questioned the Ordinance accepting the deed and wanted to know what it is for and where it is located. Mr. Cruz responded that this is for road frontage dedication on Johnston Drive.

UNFINISHED BUSINESS

A public hearing on Ordinance **OR:14/15 entitled: “AN ORDINANCE ESTABLISHING AN OFFICE OF EMERGENCY MANAGEMENT IN THE BOROUGH OF WATCHUNG.”** was held.

Councilwoman Joren moved a public hearing be held with a second by Councilman Black and upon roll call the vote was as follows: Nehls, Black, Franklin, Joren, Gibbs, Beck-Clemens, “aye.”

Councilwoman Joren explained the Borough did not have an Ordinance establishing this but it was felt there should be one.

With no one from the public wishing to be heard Councilwoman Joren closed the public hearing and moved the following resolution:

R1:09/04/14 Ordinance OR:14/15 entitled “AN ORDINANCE ESTABLISHING AN OFFICE OF EMERGENCY MANAGEMENT IN THE BOROUGH OF WATCHUNG”

Council President Nehls seconded the motion and upon roll call the vote was as follows: Nehls, Black, Franklin, Joren, Gibbs, Beck-Clemens, “aye.”

A public hearing of Ordinance OR:14/16 entitled “AN ORDINANCE ACCEPTING A DEED OF DEDICATION FOR A PORTION OF PROPERTY LOCATED AT 1353 JOHNSTON DRIVE AND KNOWN ON THE TAX MAPS OF THE BOROUGH OF WATCHUNG AS BLOCK 74.03, LOT 17 TO THE BOROUGH OF WATCHUNG.” was held.

Councilwoman Joren moved a public hearing be held with a second by Council President Nehls and upon roll call the vote was as follows: Nehls, Black, Franklin, Joren, Gibbs, Beck-Clemens, “aye.”

With no one from the public wishing to be heard Councilwoman Joren closed the public hearing and moved the following resolution:

R2: Ordinance OR:14/16 entitled “AN ORDINANCE ACCEPTING A DEED OF DEDICATION FOR A PORTION OF PROPERTY LOCATED AT 1353 JOHNSTON DRIVE AND KNOWN ON THE TAX MAPS OF THE BOROUGH OF WATCHUNG AS BLOCK 74.03, LOT 17 TO THE BOROUGH OF WATCHUNG.”

Council President Nehls seconded the motion and upon roll call the vote was as follows: Nehls, Black, Franklin, Joren, Gibbs, Beck-Clemens, “aye.”

NEW BUSINESS

CONSENT AGENDA: The Consent Agenda Items listed below were unanimously adopted following a motion by Council President Nehls and a second by Councilwoman Joren and upon roll the vote was as follows: Nehls, Black, Franklin, Joren, Gibbs, Beck-Clemens, “aye.”

Approval of the following Council minutes:
August 21, 2014

Acknowledging Receipt of the following Borough Reports:
Board of Adjustment Minutes – April 10, May 8, and June 12, 2014

Acknowledging Receipt of the following Correspondence:

- #28 - Township of Scotch Plains Zoning Board of Adjustment 8/22/14 Notice of Public Hearing on Use Variance Application for a sign at 1715 Rt. 22 West, Scotch Plains c: M & C, TEA, Pl. Board
- #29 - NJ Transit Public Hearing Notice 9/2/14 Notice of Public Hearing on comments concerning Senior Citizen and Disabled Residents Transportation Programs c: M & C, Post

CONSENT AGENDA RESOLUTIONS: Consent Agenda resolutions:

Council President Nehls requested R3 and R4 be pulled for separate discussion.

Council President Nehls then moved the following Resolution;

R5: Authorize Change Order, Final Payment, and Accept Project – Mountain Drive
Drainage Improvements / Jo-Med Contracting Corporation

Councilman Gibbs seconded the motion and upon roll call the vote was as follows: Nehls, Black, Franklin, Joren, Gibbs, Beck-Clemens, “aye.”

Council President Nehls said he had requested more information on the flooring but has not received anything yet and he asked Councilman Black to get further information. Council President Nehls then requested the resolution be amended removing Armor-Tuff Flooring.

Council President Nehls moved to accept the resolution as amended with a second by Councilwoman Joren and upon roll call the vote was as follows: Nehls, Black, Franklin, Joren, Gibbs, Beck-Clemens, “aye.”

R3: 09/04/14 Purchases Over \$2,000. – Caffrey Tree & Landscape, Game Time

Mr. Cruz explained this Resolution accepts the donation from Weldon for work at the base of the rock wall and authorizes the Mayor, Administrator and Weldon President to sign an agreement for this donation. He said in order to move forward the donation should be accepted and on September 8th a representative of Weldon and Mr. Butler will do a walk of the area. Councilman Gibbs said he is pleased with this solution and thankful Weldon will do this work. Council President Nehls said Weldon is saving the Borough a lot of money and Mr. Herits has been in contact with the State Department of Labor and they agree this is the way to move forward. Mayor Pote was also very thankful to Weldon and said both Weldon and Maser have exceptional reputations.

Council President Nehls then moved Resolution R4 with a second by Councilwoman Joren and upon roll call the vote was as follows: Nehls, Black, Franklin, Joren, Gibbs, Beck-Clemens, “aye.”

R4: Authorize Donation Agreement – Weldon Materials / Rock Wall

NON-CONSENT AGENDA ITEMS: Items listed below will be individually addressed and acted upon accordingly. Council reserves the right to refer an item to Committee for further review and discussion.

Councilman Franklin moved the following resolution with a second by Councilman Black and upon roll call the vote was as follows: Nehls, Black, Franklin, Joren, Gibbs, Beck-Clemens, “aye.”

R6:09/04/14 Authorize 2014 Capital Budget Amendment

Proposed Bond Ordinance OR:14/17 entitled “BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT AND NEW AUTOMOTIVE VEHICLES AND A NEW FIRE TRUCK (PARTIAL FUNDING), INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,050,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.” Councilwoman Joren moved the ordinance be adopted on first reading and directed the Clerk to publish the ordinance and notice of Public Hearing.

Councilwoman Joren moved the following resolution with a second by Council Present Nehls and upon roll call the vote was as follows: Nehls, Black, Franklin, Joren, Gibbs, Beck-Clemens, “aye”.

R7: Introduction of Bond Ordinance OR:14/17 – Various Public Improvements and Acquisition Of Equipment
Public hearing to be held September 18, 2014

Update: 911 Memorial Committee:

Skip Bell said the Committee has been working on fund raising ideas and one of them is to sell a piece of granite from the Statue Of Liberty (the Borough received this granite free). The Committee is still working on what the cost for this should be. They also are looking at the possibility of selling pavers. Mr. Bell said the Committee has started receiving donations from Weldon for material and cash. He announced that resident, Charles Delany works with the John Delany Foundation and said they will match grants up to \$4,000. He said the Committee said the possible cost for the Memorial is approximately \$80,000. Mayor Pote asked where the Memorial will be placed and Mr. Bell said possibly where the memorial tree is, but the final location will be approved by the Mayor and Council. Mayor Pote suggested since all members of the Council will be at the 9/11 Ceremony they could look at locations after the Ceremony is over.

Discussion: Community Based Deer Management Recommendation 2014-2015/Wildlife Management Advisory Committee.

Councilman Franklin reported a proposal for services was received from Joe Nappe of the Warren Blue Ridge Sportsmen Hunting Club, confirming the same terms as last year and said the Borough only pays for feed and baiting. He said a new Certificate of Insurance will be required. Councilman Franklin also reported this is for shotgun only. He said results from surveys returned, 2003, 2008 and 2013 everyone agrees there is an overabundance of deer and this must be addressed. He said the 2013 results also addressed the possibility of cross-bow and the majority of returns approved this. Councilwoman Joren requested the discussion be held to the report not on individual opinions regarding cross-bow. Councilman Franklin suggested the Borough Ordinance should be altered to include the use of cross-bow.

Phil Whitting, Fawn Lane, as a member of the Wildlife Management Committee, said the survey returns showed 58.8% support changing the Ordinance to use cross-bow and 80% supported continuing the harvesting of the deer. Councilwoman Joren said the survey also shows 364 responded that they would not allow cross-bow hunting on their property compared to 195 residents who would.

Mayor Pote said the discussion tonight is to approve continuing the agreement with Warren Blue Ridge and the sites we already have.

Councilwoman Joren said the issue regarding cross-bows was reviewed several years ago at a public meeting which where the Council chambers were almost filled to capacity, and the majority in attendance were against it. She said the age to get a permit is 10 years old, and she is concerned for the safety of the residents. She is in opposition of all types of bow hunting. Council President Nehls reminded all it is clear why the Borough would not approve Bow hunting. He said the 150' for this type of hunting in this town does not work because homes are too close. Councilman Gibbs suggested the possibility of having a test site for cross-bow hunting and if this more humanly controls the deer population, then he would possibly agree to the amend the Ordinance. Councilwoman Beck-Clemens said the Council had this same discussion last year and she is still against this form of hunting. Councilman Black said he does have experience with cross-bows but he would still vote against their use. He also said the sites we have are the same every year and if the Borough cannot get additional sites the hunts may not be successful in the future. Councilwoman Joren reminded all the Council cannot procure sites, only the Administrator and Borough staff are authorized to do so. Mayor Pote supports continuing the deer management program and believes cross-bow has some merits. He said the statement from the public strongly demands some form of control and the Borough needs to look to expand our sites. Mayor Pote thanked the Wildlife Management Committee for their report.

PUBLIC PORTION – GENERAL DISCUSSION

Pete Martino, Sunbright Road, said the cross-bow is a “weapon” and can be extremely dangerous. He also said he was glad the Ordinance for Fire Department was passed. Mr. Martino submitted to Council President Nehls, three proposals for different types of ventilation systems for the Fire House, and suggested they be reviewed prior to any decisions being made. Mayor Pote asked if Mr. Martino had a preference for any of his recommendations, and Mr. Martino said he thought the ceiling system was probably the best and it is approximately one third the cost. He said this type takes care of all toxins.

Lynda Goldschein, Sherwood Drive, asked if the Village Center Preservation Committee has reviewed the proposed 911 Memorial and Mayor Pote said they had and he will also see which other Committees should discuss this. He said the 911 Memorial Committee approved the design, but not the entire Mayor and Council. Ms. Goldschein asked if the Borough could go back to the company who did our deer culling in the past and Mayor Pote said the Borough could contact to see if this is a possibility.

The Borough Council may take official action on those items discussed in executive session upon completion of the executive session.

Council President Nehls moved the following resolution with a second by Councilwoman Joren and upon roll call the vote was as follows: Nehls, Black, Franklin, Joren, Gibbs, Beck-Clemens, “aye.”

R8:09/04/14 Executive Session – Attorney/Client Privilege

Upon return to open session, all Council members previously in attendance were again present.

Councilman Gibbs asked that the A & F Committee discuss the recommendation of authorizing DPW certified employees to respond as firefighters when needed, and to consider a stipend for this effort, as it would be a good incentive to increase day time responses to fire calls.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 10:39 PM to the Call of the Chair, and to the next scheduled meeting to be held on September 18, 2014 at 7:30 P.M.

Respectfully submitted,

MaryAnn Hance
Deputy Clerk